

ATTACHMENT A

DANIEL E. INGBERMAN
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DEGREES HELD

CARNEGIE-MELLON UNIVERSITY, Tepper School of Business, Pittsburgh, PA

Ph.D., Economics, 1986

M.S., Economics, 1983

Honors: -*Alexander Henderson Award for Excellence in Economic Theory*
 -*Sloan Foundation Doctoral Dissertation Fellowship*
 -*H. B. Earhardt Doctoral Fellowship*
 -*William Larimer Mellon Doctoral Fellowship*

DUKE UNIVERSITY, Durham, NC

A.B., Economics/History, 1981

Honors: -*Magna cum Laude*
 -*Phi Beta Kappa*

PROFESSIONAL EXPERIENCE

Academic Appointments

WASHINGTON UNIVERSITY, Olin School of Business

Adjunct Professor of Managerial Economics, 2011-

Associate Professor of Managerial Economics, 1995-1998

Visiting Associate Professor of Managerial Economics, 1993-1995

UNIVERSITY OF CALIFORNIA, BERKELEY

Walter A. Haas School of Business, Visiting Associate Professor, 2001 – 2005

Boalt School of Law, Lecturer, 2002 –

UNIVERSITY OF PENNSYLVANIA, Wharton School of Business

Anheuser-Busch Assistant Professor of Public Policy & Management, 1986-1993

Anheuser-Busch Lecturer in Public Policy & Management, 1985-1986

CARNEGIE-MELLON UNIVERSITY, Tepper School of Business

Instructor, 1982-1984

Consulting Affiliations

COMPASS LEXECON
Senior Consultant, 2008 – 2018

COMPETITION POLICY ASSOCIATES, INC. (COMPASS)
Senior Consultant, 2006 – 2008

LEXECON, INC.
Senior Consultant, 2006 – 2008

CHICAGO PARTNERS, Inc.
Affiliate, 2006 – 2009

LECG
Affiliate, 2007 – 2009
Principal, 1999 – 2007
Co-Director, Emeryville, California Office, 2000-2005
Member, LECG Board of Governors, 2001-2005
Senior Managing Economist, 1998-1999

PUBLICATIONS

- 1) "The Law and Economics of Concealing Safety Information," with Asrat Tesfayesus. *Journal of Law, Economics and Policy*, Spring 2017, vol. 13, number 2, pp. 181-208.
- 2) "Certainty Equivalence." *The Palgrave Encyclopedia of Strategic Management*, Edited by Mie Augier and David Teece, Palgrave MacMillan, October 2013.
https://link.springer.com/referenceworkentry/10.1057/978-1-349-94848-2_623-1.
- 3) "Civil Conspiracy Claims and the Economics of Collusion," with Christopher Loos and Jonathan Tomlin. *Mass Torts*, Volume 7, Number 3, Summer 2009, pp. 8-11.
- 4) "Siting Noxious Facilities: Are Markets Efficient?" in Hilary Sigman, editor, The Economics of Hazardous Waste and Contaminated Land, Edward Elgar, 2008. Reprinted from *Journal of Environmental Economics and Management* 29 (1995): S-20 – S-33.
- 5) "Fly-By-Night or Face-the-Music? Premature Dissolution and the Desirability of Extended Liability," with James Boyd. *American Law and Economics Review* 5 (2003): 189-232.
- 6) "The Vertical Extension of Environmental Liability Through Chains of Ownership, Contract, and Supply," with James Boyd. In *The Law and Economics of the Environment*, edited by Anthony Heyes, 44-70. Cheltenham, UK: Edward Elgar, 2001.
- 7) "An Analysis of Settlement and Merit Under Federal Securities Law: What Will be the Effect of the Reform of 1995?" with James Holloway and Ronald King. *Journal of Accounting and Public Policy* 18 (1999): 1-30.
- 8) "Do Punitive Damages Promote Deterrence?" with James Boyd. *International Review of Law and Economics* 19 (1999): 47-68.
- 9) "The Search for Deep Pockets: Is 'Extended Liability' Expensive Liability?" with James Boyd. *Journal of Law, Economics, and Organization* 13 (1997): 232-258.
- 10) "Should 'Relative Safety' be a Test of Product Liability?" with James Boyd. *Journal of Legal Studies* 26 (1997): 433-473.

- 11) "An Experimental Investigation of Multi-defendant Bargaining in Joint and Several and Proportional Liability Regimes." with Nicholas Dopuch and Ronald R. King. *Journal of Accounting and Economics* 23 (1997): 189-221.
- 12) "The 'Polluter Pays Principle': Should Liability Be 'Extended' When the Polluter Cannot Pay?" with James Boyd. *The Geneva Papers on Risk and Insurance – Issues and Practice*, no. 79 (1996): 182-203.
- 13) "Market vs. Government: The Political Economy of NIMBY." with Gerald R. Faulhaber. In *The Political Economy of Environmental Protection: Analysis and Evidence*, Edited by Roger D. Congleton, 169-188. Ann Arbor: The University of Michigan Press, 1996.
- 14) "Siting Noxious Facilities: Are Markets Efficient?" *Journal of Environmental Economics and Management* 29 (1995): S-20 – S-33. Reprinted in Hilary Sigman, editor, The Economics Of Hazardous Waste And Contaminated Land, Edward Elgar, 2008.
- 15) "Triggers and Priority: An Integrated Model of the Effects of Bankruptcy Law on Overinvestment and Underinvestment." *Washington University Law Quarterly* 72 (1994): 1341-1377.
- 16) "Non-Compensatory Damages and Potential Insolvency." with James Boyd. *Journal of Legal Studies* 23 (1994): 895-910.
- 17) "An Institutional Theory of Divided Government and Party Polarization." with John J. Villani. *American Journal of Political Science* 37 (1993): 429-471.
- 18) "Incumbent Reputations and Ideological Campaign Contributions in Spatial Competition." *Mathematical and Computer Modeling* 16 (1992): 147-169. (Reprinted in *Formal Theories of Politics II: Mathematical Modeling in Political Science*, edited by P.E. Johnson. Pergamon Press, 1992.)
- 19) "Presidential Commitment and the Veto." with Dennis A. Yao. *American Journal of Political Science* 35 (1991): 357-389.
- 20) "Circumventing Formal Structure through Commitment: Presidential Influence and Agenda Control." with Dennis A. Yao. *Public Choice* 70 (1991): 151-179.
- 21) "Reputational Dynamics in Spatial Competition." *Mathematical and Computer Modeling* 12 (1989): 479-496. (Reprinted in *Formal Theories of Politics*:

Mathematical Modeling in Political Science, edited by P.E. Johnson. Pergamon Press, 1989.)

- 22) "The Political Economy of Fiscal Policy." with Robert P. Inman. In *Surveys in Public Sector Economics*, edited by Paul G. Hare, 105-160. Basil-Blackwell, 1988.
- 23) "Reputation, Commitment, and the Dynamics of Effective Legislative Leadership." *Public Choice* 55 (1987): 121-126.
- 24) "Privatization: Your Rents or Mine?" *Journal of Policy Analysis and Management* 6 (1987): 607-611.
- 25) "Candidate Reputations and the 'Incumbency Effect.'" with M. Daniel Bernhardt. *Journal of Public Economics* 27 (1985): 47-67.
- 26) "Running Against the Status Quo: Institutions for Direct Democracy Referenda and Allocations Over Time." *Public Choice* 46 (1985): 19-43.

SCHOLARLY AND ACADEMIC ACTIVITIES: Summary

- More than 75 invited presentations at major universities and conferences.
- Broad teaching experience, including undergraduate, MBA, executive MBA, Ph.D. and thesis supervision.
- Teaching awards/commendations at Haas, Olin and Wharton.
- Chair of committees (including responsibility for curriculum development).
- Organized conferences and faculty seminar series.
- Received more than ten faculty grants and fellowships.

SCHOLARLY PRESENTATIONS

American Law and Economics Association Meetings; American Political Science Association Meetings; California Institute of Technology; Carnegie-Mellon University; Carnegie Conference in Political Economy; Charles River Associates; Columbia University; Conference on Privatization of the Public Sector (University of Pennsylvania); Conference on Political Behavior and Institutions (Stanford); European Association of Law and Economics; George Mason University; Georgetown University; Hoover Institution; Information in Politics (Texas); LECG; Lehigh University; Northwestern University; Olin Conference on Law, Economics and Politics of the Environment; Olin School Annual Conference on Financial Economics and Accounting; Princeton University; Public Choice Society; Resources for the Future; Social Science History Association Meetings; Southern Economics Association Meetings; Southern Political Science Association Meetings; Stanford University; Texas A&M University; UCLA; UCSD; United States Department of Justice; University of Delaware; University of

Minnesota; University of Rochester; University of Pennsylvania; University of Southern California; Villanova University; Washington University in St. Louis; Washington University Conference on Bankruptcy; Western Economic Association Meetings.

EDITORIAL ACTIVITIES

Referee Reports for: American Economic Review, American Journal of Political Science, American Political Science Review, Econometrica, Economics and Politics, Formal Theories of Political Science, Games and Economic Behavior, International Review of Law and Economics, Journal of Development Economics, Journal of Law and Economics, Journal of Law Economics and Organization, Journal of Policy Analysis and Management, Journal of Public Economics, Public Choice, Quarterly Journal of Economics, Review of Economic Studies.

ACADEMIC ACTIVITIES

A. Teaching Awards

Dean's Commendation, Haas School, 2004.

Reid Award for Undergraduate Teaching at Olin, 1995.

Wharton Undergraduate Teaching Award, 1990-1991.

Nominated for Anvil Award, Wharton MBA Teaching Award, 1990.

Nominated for Lindback Award, University of Pennsylvania Teaching Award, 1988.

B. Courses Taught

1) Undergraduate courses

"Law & Economics I (Private Law)" (LS 145: 2002, 2004, 2005, 2006).

"Law & Economics II (Public Law)" (LS 147: 2008, 2010).

"Business Strategy in the Legal Environment" (MECO 390: 1995-1996).

"Business and Public Policy" (MGT 382: 1994-1996).

"Business in the Political Environment" (PPM 203: 1990-1991).

"Economic Policy Analysis" (ECON 30: 1987-1989).

"The Political Economy of Government" (PPM 201: 1986-1989, 1991).

"Political Analysis" (PPM 05: 1992).

“Principles of Economics” (ECON 001: 1985-1986).

2) Graduate courses

“Competitive Strategy and Industry Analysis” (Olin-Fudan Executive MBA program; 2011-2014).

“Economic Analysis for Business Decisions 2” (Macroeconomics; EWMBA201B: 2005).

“Economic Analysis for Business Decisions 1” (Microeconomics and Competitive Strategy; EWMBA201A: 2001, 2002, 2003).

“Independent Study in Competitive and Corporate Strategy” (E293: 2002).

“Independent Study in Econometrics and Empirical Methods” (E293: 2003).

“Competitive and Corporate Strategy” (E210: 2001).

“Business in a Changing Environment” (MGT 5040: 1994-1995).

“Business-Government Relations” (MGT 741/PPM 780: 1992, 1993).

“Governmental and Legal Environment of Business” (LST 621: 1992).

“Managerial Economics” (MGEC 601: 1989-1990; EMBA 790: 1993-1994; MECO 5402 [macro], 5403 [micro]: 1996-1997).

“PhD Research Methods Seminar” (PPM 900: 1987-1990).

“Political Analysis” (PPM 781, 981: 1992).

“The Political Economy of Government” (PPM 770: 1991-1993).

“Social Choice and Social Justice” (PPM 911: 1986-1987, 1990, 1992).

C. Academic Committees

Chairman, BSBA Committee (undergraduate curriculum committee), Olin School, 1995-1996.

Member, MBA and PMBA committees (full- and part-time MBA curriculum committees), Olin School, 1995-1996.

Chairman, Subcommittee on Revising Business Curriculum, Undergraduate Curriculum Committee, The Wharton School, Fall 1988 - Spring 1990.

Member, Undergraduate Executive Committee, The Wharton School, Fall 1989-1993.

Member, Undergraduate Curriculum Committee, The Wharton School, Fall 1986-1990, 1991-1992.

Dean's Representative, CAS Committee on Individualized Study, University of Pennsylvania, Fall 1987 - Spring 1989.

Dean's Representative, Committee on Undergraduate Admissions and Financial Aid, University of Pennsylvania, Fall 1987 - Spring 1989.

D. Dissertation Committees

“Liability and Insolvency: An Equilibrium Analysis.” (James Boyd; Howard Kunreuther, chair; 1992).

“Workers' Compensation vs. First Party Insurance for Occupational Disability.” (Dong-Han Chang; Patricia Danzon, chair; 1991).

“Liability Laws and Environmental Policy: The Logic of Joint and Several Liability.” (M.V. Rajeev Gowda; Howard Kunreuther, chair; 1991). “Essays on Maximum Demand in Electricity.” (Seong-Uh Lee; Paul Kleindorfer, chair; 1990).

“Essays on the Political Economy of Resource Allocation Through Democratic Processes.” (Miftah Ahmad; Robert Inman, chair; 1990).

“Three Essays on the Role of Institutional Arrangements in International Economic Organizations' Policy Making.” (Bernard Gauthier; Daniel Ingberman, chair; 1989).

“Competitive Processes of Collective Decision Making Under Simple Majority Rule.” (Joon-Han Kim; James Laing, chair; 1987).

E. Conferences and Seminars Organized

Seminar organizer, Public Policy and Management Brown-Bag Seminar Series, University of Pennsylvania, 1991-1992.

Seminar organizer, Political Economy Workshop (joint Economics/Public Policy and Management), University of Pennsylvania, 1990.

Co-convener, PARSS Faculty Seminar: “Environmental Risk and Public Policy,” The Wharton School, 1988-1993.

Founding member (with R. Hartwell, R. Inman, H. Root), PARSS (Mellon) Faculty Seminar: “Historical Data and Theories of Rational

Choice,” University of Pennsylvania, 1985-1989.

Conference organizer, “Environmental Risk and Real Estate Development,” The Wharton School, December 1988.

Conference organizer (with S. Wachter), “Public Policy and Affordable Housing,” The Wharton School, February 1990.

F. Grants, Honors, & Awards

University Research Foundation Grant University of Pennsylvania, 1987, 1991.

Junior Faculty Summer Research Fellowship The Wharton School, 1986, 1987, 1988, 1989.

PARSS Faculty Research Fellowship University of Pennsylvania, 1986.

MOIS Courseware Development Grant University of Pennsylvania, 1986, 1987.

Alexander Henderson Award for Excellence in Economic Theory Carnegie-Mellon University, 1985.

Alfred P. Sloan Doctoral Dissertation Fellowship in Economics. The Sloan Foundation, 1984-1985.

H. B. Earhardt Doctoral Fellowship Carnegie-Mellon University, 1982-1983.

William Larimer Mellon Ph.D. Fellowship Carnegie-Mellon University, 1981-1984.

Phi Beta Kappa 1981.

Expert Disclosures, 2000-present

Ashton Woods Holdings, L.L.C. et al. vs. USG Corporation, et al. (Alleged price-fixing damages.) United States District Court for the Eastern District Of Pennsylvania, Case No. 2:15-cv-01712-MMB (E.D. Pa.), MDL 2437 No. 13-MD-2437. Retained by plaintiffs Ashton Woods Holdings, L.L.C. et al. Expert Reports, December 22, 2017 and January 26, 2018. Deposition, April 19, 2018.

Conlin vs. Magnum, Inc., et al. (Alleged successor liability for defective product.) Superior Court of the State of California, San Joaquin County, Case No. 39-2013-00292938-CU-PL-STK. Retained by defendant Magnum Research, Delaware. Deposition, July 8, 2016.

THX Ltd. v. Apple Inc. (Alleged patent infringement damages.) United States District Court for the Northern District of California, Case No. 3:13-cv-01161-IISG. Retained by plaintiff THX.

Move, Inc., et al., vs. Zillow, Inc., et al. (Alleged trade secret misappropriation, defamation, and abuse of process damages.) Superior Court of the State of Washington, King County, Case No. No. 14—07669-0 SEA. Retained by defendant and counter-claimant Zillow. Expert Report, February 1, 2016. Deposition, March 17, 2016.

Merced Irrigation District, Pacific Gas & Electric Company, and Federal Insurance Company, as subrogee of ACWA Joint Powers Insurance Authority vs. Hart High-Voltage Apparatus Repair and Testing Co., Inc. (Alleged negligence damages.) Superior Court of the State of California, County of Merced, Case No. CVM013599, CV003013. Retained by defendant Hart.

Grail Semiconductor, Inc. v. Mitsubishi Electric and Electronics USA, Inc., et al. (Economic analysis of the semiconductor industry.) Superior Court of the State of California, County of Santa Clara, Case No. 1-07-CV-098590. Retained by plaintiff Grail Semiconductor.

Prolifiq Software, Inc. v. Veeva Systems, Inc. (Alleged patent infringement damages.) United States District Court for the Northern District Of California, Case No. 3:13-CV-03644-SI. Retained by defendant Veeva Systems.

Samsung v. Qualcomm (Alleged anticompetitive use of FRAND patents, and FRAND patent infringement damages.) National Development and Reform Commission (NDRC), People's Republic of China. Retained by plaintiff Samsung. Expert Report, July 1, 2014 (co-authored with Sang Seung Yi).

CA, Inc., d/b/a CA Technologies, v. New Relic, Inc. (Alleged patent infringement damages.) United States District Court, Eastern District Of New York, Case No. 2:12-cv-05468-JS-WDW. Retained by defendant New Relic. Expert Report, February 14, 2014. Deposition, March 13, 2014.

Lifescan, Inc. and Johnson and Johnson, v. Shasta Technologies, LLC, Decision Diagnostics Corp., Pharmatech Solutions, Inc., and Conductive Technologies Inc. (Alleged violations of the Lanham Act with monopolization counterclaims.) United States District Court for the Northern District Of California, Case No. V-12-360-KAW. Retained by defendants.

Michele LeComte Chambers et. al. v. Gold Medal Bakery, Inc., Bakery Products Corp., et al. (Alleged trademark infringement royalties.) Superior Court Commonwealth of Massachusetts, Case No. 2009-00716. Retained by plaintiffs. Expert Report, February 29, 2012. Rebuttal Report, April 29, 2013. Expert Declaration, March 14, 2014.

Nicolosi Distributing, Inc., v. BMW of North America, LLC. (Alleged tying and unfair competition.) United States District Court for the Northern District of California, Case No. CV-10-3256. Retained by plaintiff Nicolosi Distributing. Expert Report, April 1, 2011.

American Traffic Solutions, Inc. v. Redflex Traffic Systems, et. al. (Damages due to alleged violations of the Lanham Act.) United States District Court for the District of Arizona, Case No. 2: 08-CV-02051-PHX-FJM. Retained by plaintiff American Traffic Solutions. Expert Report, July 15, 2009. Rebuttal Report, October 7, 2009. Deposition, January 7, 2010.

Glasforms, Inc. and Dong Ah Rubber and Tire CO., LTD v. CTG International. (Damages resulting from alleged breach of contract, breach of implied warranty of fitness for a particular purpose, and breach of implied warranty or merchantability.) United States District Court, Northern District of California, San Jose Division, Case No. C 06-03359 JF. Retained by plaintiff/defendant/third party plaintiff, Glasforms Inc. Expert Report, September 8, 2008. Deposition, April 22, 2009. Testified in trial, September 8, 2009.

Memry Corporation and Schlumberger Technology Corporation v. Kentucky Oil Technology, et al. (Damages resulting from alleged misappropriation of trade secrets.) United States District Court, Northern District of California, San Jose Division, Case No. CV 04-03843 RMW (HRL). Retained by defendant/counterclaimant, Kentucky Oil. Expert Report, January 19, 2007. Testified in deposition, March 8, 2007. Testified in trial, December 11, 2007.

In re Dynamic Random Access Memory (DRAM) Antitrust Litigation. (Alleged price fixing.) United States District Court, Northern District of California, San Francisco Division, MDL #1486, Master File No. M-02-1486-PJH. Retained by defendant, Samsung. Expert Declaration, October 15, 2007.

MAX Software, Inc. v. Computer Associates, Inc. (Damages resulting from alleged misappropriation and other intellectual property claims.) American Arbitration Association, Case No. 13117 Y 02365 05. Retained by claimant, MAX Software. Expert Report, February 12, 2007. Supplemental Report, March 8, 2007. Rebuttal Report, March 27, 2007.

Collaboration Properties, Inc. v. Tandberg ASA and Tandberg, Inc. (Damages

resulting from alleged patent infringement.) United States District Court, Northern District of California, San Francisco Division, Case No. C 05 01940. Retained by plaintiff, Collaboration Properties. Expert Report, January 26, 2007.

Gens v. Ferrell. (Damages resulting from alleged breach of contract and misappropriation of trade secrets.) Superior Court of the State of California, County of San Mateo, Case No. CIV 439400. Retained by plaintiff/counterdefendant, Gens. Testified in deposition, March 6, 2006.

In re Linens Antitrust Litigation. (Damages resulting from alleged violations of the Sherman Act.) United States District Court, Southern District of New York, Case No. 03 Civ. 7823. Retained by defendant, Best Metropolitan. Expert Report, January 13, 2006.

UTStarcom v. Starent Networks Corp. (Intellectual property damages and analysis of alleged irreparable marketplace injury.) United States District Court, Northern District of California, San Jose Division, Case No. C 04 01122 PVT (ADR). Retained by plaintiff/counterdefendant, UTStarcom, Inc. Expert Declaration, February 15, 2005. Testified in deposition, March 24, 2005.

AT&T Corporation v. Sprint Corporation, et. al. (Alleged trademark infringement damages under the Lanham Act.) United States District Court, Southern District of New York, Case No. 03 Civ. 2118 (DLC). Retained by claimant, AT&T Corp.

Accela, Inc. v. Atlantic Management Center, Inc. (Damages resulting from alleged breach of contract.) American Arbitration Association, Case No. 74 117 01119 03 TNC. Retained by claimant, Accela, Inc. Expert Report, June 9, 2004.

Gracenote, Inc. v. MusicMatch, Inc. (Alleged patent misuse; antitrust analysis.) United States District Court, Northern District of California, Oakland Division, Case No. C 03-3162 CW. Retained by plaintiff /counterdefendant, Gracenote, Inc. Expert Report, March 12, 2004. Testified in deposition, July 29, 2004.

William D. Hoffman, on behalf of the General Public of the State of California v. American Express Travel Related Services Co., and Does 1-50. (Damages analysis.) Superior Court of the State of California for the County of Alameda, Case No. 2001-022881. Retained by plaintiff class. Expert Declaration, January 19, 2004.

GTD Enterprises v. The Board of Trustees of the Leland Stanford Junior University and Stuart Moldaw (Analysis of alleged violations of California Business and Professions Codes § 17200, § 17045 and § 17048, and antitrust claims.) Superior Court of the State of California, County of Santa Clara, Case No. CV 786012. Retained by the defendants, Stanford University, et. al. Expert Declaration, June 25, 2003. Expert Report, August 6, 2003.

In Re Cleveland Bar Association v. CompManagement, Inc., et al. (Economic impact analysis.) Board of Commissioners on the Unauthorized Practice of Law of the Supreme Court of Ohio. Retained by respondent, CompManagement, Inc.

Expert Report, April 21, 2003. Testified May 22, 2003.

Computer Motion, Inc. v. Intuitive Surgical, Inc. (Alleged patent infringement damages.) United States District Court, Central District of California, Western Division, Case No. CV 00-4988 CBM (RCx). Retained by plaintiff, Computer Motion, Inc. Expert Report, January 27, 2003.

Tickets.com, Inc. v. Oakland Coliseum Joint Venture, LLC/SMG. (Analysis of alleged breach of contract.) American Arbitration Association, Case No. 72 181 01083 02 SACO. Retained by claimant/counterrespondent, Tickets.com. Expert Report, November 1, 2002. Testified in deposition, November 27, 2002. Testified January 13, 2003.

Linda Schilcher v. Board of Trustees of the University of Arkansas, et al. (Damages resulting from alleged wrongful termination and employment discrimination.) United States District Court, Western District of Arkansas, Fort Smith Division, Case No. 00-5213. Retained by defendant, University of Arkansas. Expert Report, May 15, 2002. Testified in deposition, May 30, 2002.

Osmonics, Inc., and Poretics Corporation v. James Humphrey, et al. (Analysis of alleged breach of contract and unfair competition.) Superior Court of the State of California in and for the County of Alameda, Eastern Division, Case No. V-013547-0. Retained by plaintiffs Osmonics and Poretics.

People of the State of California v. ALVA-AMCO Pharmacal Cos. Inc., et al. (Statistical and damages analysis.) Superior Court of the State of California for the County of San Francisco. Retained by defendant, Johnson & Johnson.

Quintero-Smith, Inc. v. Herman Miller, Inc. and Herman Miller, Inc., Miller SQA, Inc. (Intellectual property damages.) United States District Court, Central District of California, Case No. 00-2745 TJH. Retained by plaintiff, Quintero-Smith, Inc.

Sargon Enterprises, Inc. v. University of Southern California, et al. (Damages due to alleged breach of contract and fiduciary duty, antitrust claims, and violations of California Business and Professions Code § 17200.) Superior Court of the State of California for the City of Los Angeles, Central District, Case No. BC209992. Retained by defendant/counterclaimant, University of Southern California.

Michael and Sandy Krummes v. Papa Murphy's International, Inc. (Damages due to alleged breach of contract and breach of fiduciary duty.) Retained by defendant, Papa Murphy's International, Inc. Expert Report, January 25, 2001.

R.J. Reynolds Tobacco Company and GMB, Inc., v. Premium Tobacco Stores, Inc., et al. (Analysis of alleged antitrust violations and unfair trade practices.) United States District Court for the Northern District of Illinois, Eastern Division, Case No. 99 C 1174. Retained by plaintiff/counterdefendant, R.J. Reynolds Tobacco Company.

Larsen Electric Sign Company, Inc. v. A. Kent Greene, et al. (Damages due to alleged breach of contract and breach of fiduciary duty.) District Court of Clark

County Nevada, Case No. A368306. Retained by defendant, A. Kent Greene. Testified in deposition, September 15, 2000.

Kay T. Nunnally, et al. v. R.J. Reynolds Tobacco Company and Basic Foods, Inc. (Analysis of punitive damages.) Circuit Court of Desoto County Mississippi. Retained by defendant, R.J. Reynolds Tobacco Company.

Microchip Technology, Inc. v. Scenix Semiconductor, Inc., and Parallax, Inc., And Related Counterclaims (Antitrust analysis of alleged patent misuse and invalidity claims.) United States District Court, Northern District of California, San Francisco Division, Case No. C97-03923 WHO. Retained by defendant/counterclaimant, Scenix Semiconductor, Inc. Expert Declarations, June 22, 2000 and August 17, 2000.

Louis H. Erichs, et al. v. Venator Group, Inc. (Statistical analysis; employment compensation/commission.) United States District Court for the Northern District of California, Case No. C 98-2981 SBA. Retained by Defendant, Venator Group, Inc. Expert Declaration, March 10, 2000.

Selected Non-Testifying Consulting Engagements, 2000-present***Antitrust***

AT&T / T-Mobile (proposed) Merger. Retained by plaintiff DOJ.

In Re: Cathode Ray Tube (CRT) Antitrust Litigation. United States District Court Northern District Of California, San Francisco Division. Master File No. CV-07-5944-SC MDL No. 1917. Retained by defendant Samsung SDI.

In Re: Cigarette Antitrust Litigation. United States District Court Northern District of Georgia, Atlanta Division. MDL docket No. 1342, Civil Action No: 1:00-CV-0447-JOF. Retained by defendants.

In the Arbitration of Cisco Systems, Inc. and Alcatel S.A. and affiliates. Alleged exclusivity and tying. Retained by defendant Cisco.

In Re: DRAM Antitrust Litigation. Department of Justice criminal investigation. Retained by defendant Samsung Electronics.

DRAM Claims Liquidation Trust, By its Trustee, Wells Fargo Bank, N.A., v. Hynix Semiconductor, Inc., et. al. and Edge Electronics, Inc., v. Hynix Semiconductor, Inc., et. al. United States District Court Northern District Of California. Case Nos. C 07-1381 PJH and C 07-01207 PJH. Retained by defendant Samsung Electronics.

In Re TFT-LCD (Flat Panel) Antitrust Litigation. United States District Court Northern District Of California, San Francisco Division. Master File No. CV-07-5944-SC MDL No. 1917. Retained by defendant Samsung.

Mergers in food products industries. Retained by merging parties.

Mergers in entertainment industries. Retained by merging parties.

Mergers in semiconductor manufacturing. Retained by merging parties.

Alleged monopolization and predatory pricing in microprocessors. Retained by defendant.

Alleged price fixing in disk drives. Retained by defendant.

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation. United States District Court, Southern District of New York. Master File No. 1:00 -1898 MDL 1358 (SAS) M21-88.

Information Resources, Inc. v. The Dun & Bradstreet Corporation, A.C. Nielsen Co. and IMS International, Inc. United States District Court for the Southern District of New York, Case No. 05-0564. Retained by defendant A.C. Nielsen.

Erinmedia, LLC, v. Nielsen Media Research, Inc. Defendant. United States District Court for the Middle District of Florida, Tampa Division. Civil Action 8:05-CV-01123-SCB-EAJ. Retained by defendant Nielsen.

Visx, Inc. v. Nidek Co., Ltd. United States District Court Northern District Of California. Consolidated Nos. C98-04842, C99-1528 CRB. Retained by patent defendant and antitrust plaintiff Nidek.

Alleged price fixing in specialty metals. Retained by defendant manufacturer.

Alleged price fixing in tourist services. Retained by defendant seller.

Alleged price discrimination in retail sales. Retained by defendant sellers.

Alleged price discrimination, unfair competition, and monopolization in electronics distribution. Retained by defendant sellers.

In re: Nylon Carpet Antitrust Litigation. United States District Court, N.D. Georgia. Case No. 4:98-cv-00267. Retained by defendant Shaw Industries.

In re: Polypropylene Carpet Antitrust Litigation. United States District Court, N.D. Georgia. Rome Division. No. MDL 1075. Retained by defendant Shaw Industries.

Rambus Inc., v. Micron Technology, Inc., et al. Superior Court of the State of California, City and County of San Francisco. Case No. 04-431105. Retained by defendant Samsung Electronics.

Republic Tobacco, L.P., v. North Atlantic Trading Company, Inc., et al. United States District Court, N.D. Illinois, Eastern Division. Case No. 98 C 4011. Retained by defamation plaintiff and antitrust defendant Republic Tobacco.

In Re: Tableware Antitrust Litigation. United States District Court Northern District of California. Master File No. C-04-3514-VRW. Retained by defendant Federated.

United States of America v. Philip Morris Inc., et al. United States District Court, District of Columbia. Case No. 99-CV-2496 (GK). Retained by defendant tobacco companies.

Owens Corning v. R.J. Reynolds Tobacco Company, et al. Circuit Court of Jefferson County, Mississippi, Case No. 96-0065. Retained by defendant tobacco companies.

Deloach v. Philip Morris Companies, Inc. United States District Court, District of Columbia. No. Civ.A. 00-294(GK). Retained by defendant tobacco companies.

Leslie Whitely, et al. v. Philip Morris and R.J. Reynolds Tobacco Holdings. Superior Court, San Francisco County, California. Case No. 303184. Retained by defendant Philip Morris.

Fredric Reller, vs. Philip Morris Inc., et al. Superior Court of the State of California, County of Los Angeles. Case No. BC 261796. Retained by defendant

Philip Morris.

Lawrence Lucier and Laurie Lucier v. Philip Morris, Incorporated, et al. In The Superior Court of the State Of California, County of San Francisco. Retained by defendant Philip Morris.

In Re Static Random Access Memory (SRAM) Antitrust Litigation. United States District Court Northern District Of California, Oakland Division. Master File No. M:07-cv-01819-CW, MDL No. 1819. Retained by defendant Samsung Electronics.

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- al.** United States District Court Northern District of California, San Jose Division. CASE No. CV-00-6506 MRP (AJWx). Retained by plaintiff and counterdefendant Nellcor.
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